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REMARKS

By the above actions, claim 1 has been further amended. In view of the actions taken and the following remarks, further consideration of this application is now requested.

Claim 1 was rejected under 35 USC § 103 as being indefinite as to what is coupled and decoupled by the engagement element. In view thereof, claim 1 has been amended to make it clear that it is the actuating element that is coupled and decoupled by the engagement element. Thus, this claim should now be clear and definite, so that withdrawal of this rejection is in order and is now requested.

Claims 1-6 have been rejected once again under 35 USC § 103 as being unpatentable over the Armbruster patent while claims 7-27 have been rejected once more on this basis when Armbruster is viewed in combination the Cope et al. patent. In responding to applicants' arguments relative to these rejections, the Examiner acknowledged that "the ratchet of Armbruster is always coupled to the engagement element of the actuator," but indicated that the then current claims were "deemed as being unclear as to the function of the engagement element." As noted above relative to the § 112 rejection, this deficiency has now been corrected. Thus, this distinction between the present invention and Armbruster is now clearly presented in the claims.

Additionally, the Examiner's attempted rebuttal of applicants' position that the Cope et al. patent constitutes nonanalogous art on the basis that it is directed to "the use and functionality of Hall effect sensors and their use in latching mechanisms" is misplaced. That is, the problem to which the present inventors' efforts were directed is not that stated by the Examiner. That is, the specification is clear in that the problem to which the present invention was directed is enabling detection and evaluation of the position of the ratchet and the actuator without a complex sensor arrangement so as to achieve low cost and maximum mechanical and control-engineering operating reliability. In this regard, the Examiner's attention is directed to paragraphs [0006] to [0009]. Put another way, the inventors did not seek to find a better way to use Hall sensors, the particular use of Hall sensors was only one solution that they found in their attempt to enable detection and evaluation of the position of the ratchet and the actuator without a complex sensor arrangement so as to achieve low cost

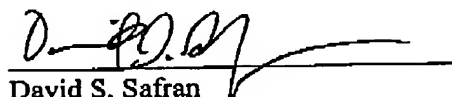
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and maximum mechanical and control-engineering operating reliability. Thus, Cope et al. is still considered to be nonanalogous prior art.

Accordingly, the outstanding rejections should now be withdrawn for the above reasons and for those reasons presented in applicants' preceding response, which are hereby incorporated by reference for the sake of brevity.

While the present application is now believed to be in condition for allowance, should the Examiner find some issue to remain unresolved, or should any new issues arise, which could be eliminated through discussions with applicant's representative, then the Examiner is invited to contact the undersigned by telephone in order that the further prosecution of this application can thereby be expedited.

Respectfully submitted,


David S. Safran
Registration No. 27,997

Roberts Mlotkowski & Hobbes P.C
PO Box 10064
McLean, VA 22102

Direct Telephone: (703) 584-3273

DSS:kmm